

रजिस्टर्ड नं० ल०-33/एस०एम० 14.



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बीरवार, 8 फरवरी, 1990/19 माघ, 1911

हिमाचल प्रदेश सरकार

अधिसूचना

विधि विभाग

शिमला-2, 8 फरवरी, 1990

कमांक एल. एल. ए. डी. (6) 15/89-लैजिस्लेशन (भाग-II).—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, 7 फरवरी, 1990 को अनुमोदित पंजाब आबकारी (हिमाचल प्रदेश द्वितीय संशोधन) विधेयक, 1989 (1989 का 15) को 1990 क हिमाचल प्रदेश

अधिनियम संख्यांक 4 क रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके प्राधिकृत पाठ सहित, हिमाचल प्रदेश, राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,  
राजकुमार महाजन,  
सचिव।

1990 का अधिनियम संख्यांक 4.

## पंजाब आबकारी (हिमाचल प्रदेश द्वितीय संशोधन) अधिनियम, 1989

राज्यपाल महोदय द्वारा तारीख 7 फरवरी, 1990 को यथानुमोदित

प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में, हिमाचल प्रदेश (विधियों का लागू होना) आदेश, 1948 और विलासपुर (विधियों का लागू होना) आदेश, 1949 द्वारा यथा लागू पंजाब आबकारी अधिनियम, 1914 (1914 का पंजाब अधिनियम संख्यांक 1) का और संशोधन करने के लिए अधिनियम।

भारत गणराज्य के चालीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

1. इस अधिनियम का संक्षिप्त नाम पंजाब आबकारी (हिमाचल प्रदेश द्वितीय संशोधन) अधिनियम, 1989 है।

संक्षिप्त  
नाम।

1914 का 1 2. प्रथम नवम्बर, 1966 से पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में यथा प्रवृत्त पंजाब आबकारी अधिनियम, 1914 (जिसे इसमें इसके पश्चात् मूल अधिनियम कहा गया है) की धारा 3 में,—

धारा 3 का  
संशोधन।

1930 का 2 (क) खण्ड (13) की मूह (iv) में "the Dangerous Drugs Act, 1930",  
1985 का 61 शब्दों और अंकों के स्थान पर "the Narcotic Drugs and Psychotropic Substances Act, 1985" शब्द और अंक रखे जाएंगे; और

(ख) खण्ड (15) का लोप किया जाएगा।

1878 का 8 3. मूल अधिनियम की धारा 7 में "the Sea Customs Act, 1878, the  
1910 का 15 Cantonment Act, 1910, or the Indian Tariff Act, 1894", शब्दों,  
1894 का 18 चिह्नों और अंकों के स्थान पर "the Customs Act, 1962, the Cantonment Act, 1924, or the Customs Tariff Act, 1975" शब्द, चिह्न और  
1962 का 52 अंक रखे जाएंगे।  
1924 का 2  
1975 का 51

धारा 7 का  
संशोधन।

4. मूल अधिनियम की धारा 24 की उप-धारा (2) के स्थान पर निम्नलिखित उप-धारा (2) रखी जाएगी, अर्थात्:—

धारा 24 का  
संशोधन।

"(2) Sub-section (1) shall not apply to any intoxicant in the possession of any Excise Officer, common carrier or warehouse-man as such."

5. मूल अधिनियम की धारा 24 के पश्चात् निम्नलिखित नई धारा 24-ए अन्तःस्थापित की जाएगी, अर्थात्:—

नई धारा  
24-ए का  
अन्तः-  
स्थापन।

"24-A. Possession of unused and printed labels, corks, etc. by certain persons to be punishable.—No person shall have in his possession any unusec and

this Act or under any rule or order made thereunder for use by a person licensed to establish or work a distillery or brewery or to bottle liquor, or any other label, cork, capsule, or seal which is an imitation of such unused and printed label, cork, capsule, or seal, as the case may be :

Provided that nothing herein shall apply to—

- (a) a person licensed to establish or work a distillery or brewery or to bottle liquor; or
- (b) a person who, in execution of an order received from a person specified in clause (a), manufactures or prints any such label, cork, capsule or seal."

धारा 26 का संशोधन । 6. मूल अधिनियम की धारा 26 की उप-धारा (3) में आए "except part B States" शब्दों और अक्षरों का लोप कर दिया जाएगा।

धारा 27 का संशोधन । 7. मूल अधिनियम की धारा 27 की उप-धारा (1) में आए "any person" शब्दों के स्थान पर "any man not below the age of twenty-five years" शब्द रखे जाएंगे।

धारा 29 का संशोधन । 8. मूल अधिनियम की धारा 29 में जहां कहीं भी आए "eighteen" शब्द के स्थान पर "twenty-five" शब्द रखे जाएंगे।

धारा 30 का प्रतिस्थापन । 9. मूल अधिनियम की धारा 30 के स्थान पर निम्नलिखित नई धारा 30 रखी जाएगी, अर्थात्:—

"30. *Prohibition of employment of children and of men under the age of twenty-one years and of women.*—No person who is licensed to sell any liquor or intoxicating drug for consumption on his premises shall during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any man under the age of twenty-one years or any woman or any child in any part of such premises in which such liquor or intoxicating drug is consumed by the public".

धारा 31 का संशोधन । 10. मूल अधिनियम की धारा 31 के विद्यमान परन्तुक के स्थान पर निम्नलिखित परन्तुक रखा जाएगा, अर्थात्,—

"Provided that the duty shall not be so imposed on any article which has been imported into India and was liable on importation to duty under the Customs Tariff Act, 1975, or the Customs Act, 1962".

1975 का 5  
1962 का 5

धारा 36 का संशोधन । 11. मूल अधिनियम की धारा 36 में,—

- (क) खण्ड (डी) में "the Dangerous Drugs Act, 1930 or under the Merchandise Marks Act, 1889" शब्दों, चिन्हों और अंकों के स्थान पर "the Narcotic Drugs and Psychotropic Substances Act, 1985, or under the Trade and Merchandise Marks Act, 1958" शब्द, चिन्ह और अंक रख जाएंगे; और

1930 का  
1889 का  
1985 का 6  
1958 का 4

- 1878 का 8  
1962 का 52 (ख) खण्ड (इ) में, "clause (8) of section 167 of the Sea Customs Act, 1878" शब्दों, चिन्हों और अंकों के स्थान पर "section 135 of the Customs Act, 1962" शब्द, चिन्ह और अंक रखे जाएंगे।
- 1878 का 1  
1985 का 61 12. मूल अधिनियम की धारा 37 में "the Opium Act, 1878" शब्दों, चिन्हों और अंकों के स्थान पर "the Narcotic Drugs and Psychotropic Substances Act, 1985" शब्द, चिन्ह और अंक रखे जाएंगे। धारा 37 का संशोधन।
- 1898 का 5  
1974 का 2 13. मूल अधिनियम की धारा 46 की उप-धारा (2) में, "XIV of the Code of Criminal Procedure, 1898," शब्दों, चिन्हों और अंकों के स्थान पर, "XII of the Code of Criminal Procedure, 1973" शब्द, चिन्ह और अंक रखे जाएंगे। धारा 46 का संशोधन।
14. मूल अधिनियम की धारा 50 में,—  
(क) "1898" अंक के स्थान पर "1973" अंक रखे जाएंगे ; और धारा 50 का संशोधन।  
(ख) द्वितीय परन्तुक में, "Magistrate" शब्द के स्थान पर "Judicial Magistrate" शब्द रखे जाएंगे।
15. मूल अधिनियम की धारा 54 में,—  
(क) उप-धारा (2) में, प्रथम बार आए, "a Magistrate", शब्दों के स्थान पर, "an Executive Magistrate" शब्द रखे जाएंगे ; और धारा 54 का संशोधन।  
(ख) उप-धारा (3) में, "any Magistrate", शब्द के स्थान पर "any Executive Magistrate", शब्द रखे जाएंगे।
16. मूल अधिनियम की विद्यमान धारा 57 के स्थान पर, निम्नलिखित नई धारा 57 रखी जाएगी, अर्थात्:— धारा 57 का प्रतिस्थापन।  
"57. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the State Government or any Officer of the State Government or any other person exercising any power or discharging any functions or performing any duties under this Act, for any thing in good faith done or ordered to be done or intended to be done under this Act or any rule or order made thereunder or under any other law for the time being in force relating to the excise revenue."
17. मूल अधिनियम की धारा 59 के खण्ड (एफ) के उप-खण्ड (iii) के पश्चात्, निम्नलिखित नया उप-खण्ड (iii-ए) अन्तःस्थापित किया जाएगा, अर्थात्:— धारा 59 का संशोधन।  
"(iii-a) the price above which any intoxicant shall not be sold or supplied;"
18. मूल अधिनियम की धारा 61 में,—  
(i) उप-धारा (1) में "two years and with fine which may extend to two thousand rupees, and if found in possession of a working still for the manufacture of any intoxicant shall be punishable with the धारा 61 का संशोधन।

minimum sentence of six months, imprisonment and fine of two hundred rupees." शब्दों के स्थान पर "three years and with fine which may extend to five thousand rupees." शब्द और चिन्ह रखे जाएंगे; और

(ii) उप-धारा (1) में निम्नलिखित परन्तु जोड़ा जाएगा, अर्थात्:—

"Provided that in the case of an offence relating to the possession of—

- (i) a working still for the manufacture of any intoxicant, such imprisonment shall not be less than one year and such fine shall not be less than five thousand rupees;
- (ii) lahan, such imprisonment shall not be less than six months and such fine shall not be less than one thousand rupees;
- (iii) country liquor manufactured otherwise than in a licensed distillery in Himachal Pradesh, in a quantity not exceeding ten bottles, each bottle containing 750 millilitres, such imprisonment shall not be less than three months and such fine shall not be less than five hundred rupees; and in a quantity exceeding ten bottles of the aforesaid capacity, such imprisonment shall not be less than six months and such fine shall not be less than one thousand rupees;
- (iv) foreign liquor other than—

- (a) manufactured in a licensed distillery or brewery in India; or
- (b) imported into India on which custom duty is leviable under the Customs Tariff Act, 1975, or the Customs Act, 1962;

51 of 1975  
52 of 1962

such imprisonment shall not be less than six months and such fine shall not be less than two thousand rupees."

धारा 62 का  
संशोधन।

19. मूल अधिनियम की धारा 62 में,—

(i) विद्यमान शीर्ष के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

"Penalty for contravention of sections 29 and 30 etc.";

(ii) खण्ड (ए) में, "eighteen" शब्द के स्थान पर "twenty-five" शब्द रखा जाएगा;

(iii) खण्ड (बी) में, "any child under the age of sixteen years or women" शब्दों के स्थान पर, "any man under the age of twenty-one years or any woman or any child" शब्द रखे जाएंगे; और

(iv) खण्ड (ई) में "five hundred", शब्दों के स्थान पर "two thousand" शब्द रखे जाएंगे।

धारा 63 का  
संशोधन।

20. मूल अधिनियम की धारा 63 में, "one year" और "one thousand" शब्दों के स्थान पर क्रमशः "five years" और "five thousand" शब्द रखे जाएंगे।

21. मूल अधिनियम की धारा 63 के पश्चात्, निम्नलिखित नई धारा 63-ए अन्तः-  
स्थापित की जाएगी, अर्थात्:—

धारा 63-ए  
का अन्तः-  
स्थापन।

“63-A. *Penalty for possession of unused and printed labels, corks, etc. in contravention of section 24-A.*—Whoever in contravention of the provisions of section 24-A has in his possession any unused and printed label, cork, capsule or seal, or an imitation thereof shall be punishable with imprisonment for a term which may extend to six months and with fine.”

22. मूल अधिनियम की धारा 64 में “three months” और “five hundred” शब्दों के स्थान पर क्रमशः “one year” और “two thousand” शब्द रखे जाएंगे।

धारा 64 का  
संशोधन।

23. मूल अधिनियम की धारा 66 में,—

धारा 66 का  
संशोधन।

- (क) उप-धारा (1) में “three months and with fine which may extend to one thousand rupees” शब्दों के स्थान पर “one year and with fine which shall not be less than two thousand rupees” शब्द रखे जाएंगे; और
- (ख) उप-धारा (2) में “two hundred” शब्दों के स्थान पर “two thousand” शब्द रखे जाएंगे।

24. मूल अधिनियम की धारा 68 में “two hundred rupees” शब्दों के स्थान पर “one thousand rupees” शब्द रखे जाएंगे।

धारा 68 का  
संशोधन।

25. मूल अधिनियम की धारा 68-ए में,—

धारा 68-ए  
का संशोधन।

- (क) प्रथम परन्तुक में “three years and a fine of two thousand rupees” शब्दों के स्थान पर “five years and a fine of five thousand rupees” शब्द रखे जाएंगे; और
- (ख) द्वितीय परन्तुक में “three years” शब्दों के स्थान पर “five years” शब्द रखे जाएंगे।

26. मूल अधिनियम की धारा 69-ए की उप-धारा (2) और धारा 71 में, जहां कहीं भी आए “1898” अंकों के स्थान पर “1973” अंक रखे जाएंगे।

धारा 69-ए  
और 71 का  
संशोधन।

27. मूल अधिनियम की धारा 72 में,—

धारा 72 का  
संशोधन।

- (क) “1898” अंक के स्थान पर “1973” अंक रखे जाएंगे; और
- (ख) विद्यमान परन्तुक के स्थान पर निम्नलिखित परन्तुक रखा जाएगा, अर्थात्:—

“Provided that the offences punishable under clauses (i) and (ii) of the proviso to sub-section (1) of section 61 and of possession of country liquor and foreign liquor in a quantity exceeding ten bottles of 750 millilitres capacity each, punishable under clauses (iii) and (iv) of the proviso to sub-section (1) of section 61, shall be non-bailable.”

- धारा 73 का संशोधन। 28. मूल अधिनियम की धारा 73 की उप-धारा (4) में "Sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898" शब्दों, अंकों और चिन्हों के स्थान पर "Chapter XXXIII of the Code of Criminal Procedure, 1973" शब्द, चिन्ह और अंक रखे जाएंगे। 1898 का 5 1974 का 2
- धारा 75 का संशोधन। 29. मूल अधिनियम की धारा 75 में जहां कहीं भी आए "magistrate" शब्दों के स्थान पर "Judicial Magistrate" शब्द रखे जाएंगे।

**AUTHORITATIVE ENGLISH TEXT**

Act No. 4 of 1990.

**THE PUNJAB EXCISE (HIMACHAL PRADESH SECOND AMENDMENT) ACT, 1989**

(AS ASSENTED TO BY THE GOVERNOR ON 7TH FEBRUARY, 1990)

AN

ACT

*further to amend the Punjab Excise Act, 1914 (Punjab Act No. 1 of 1914) as applied to the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966, vide the Himachal Pradesh (Application of Laws) Order, 1948 and the Bilaspur (Application of Laws) Order, 1949.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fortieth Year of the Republic of India as follows :—

1. This Act may be called the Punjab Excise (Himachal Pradesh Second Amendment) Act, 1989 Short title.

2. In section 3 of the Punjab Excise Act, 1914, as in force in the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966, (hereinafter called the principal Act),— Amendment of section 3.

(a) in item (iv) of clause (13), for the words and figure “the Dangerous Drugs Act, 1930” the words and figure “the Narcotic Drugs and Psychotropic Substances Act, 1985” shall be substituted; and

(b) clause (15) shall be omitted.

3. In section 7 of the principal Act, for the words, signs and figures “the Sea Customs Act, 1878, the Cantonment Act, 1910 or the Indian Tariff Act, 1894”, the words, signs and figures “the Customs Act, 1962, the Cantonment Act, 1924, or the Customs Tariff Act, 1975”, shall be substituted Amendment of section 7.

4. For sub-section (2) of section 24 of the principal Act, the following sub-section (2) shall be substituted, namely :— Amendment of section 24.

“(2) Sub-section (1) shall not apply to any intoxicant in the possession of any Excise Officer, common carrier or warehouse-man as such”.

5. After section 24 of the principal Act, the following new section 24-A, shall be inserted, namely :— Insertion of new section 24-A.

“24-A. *Possession of unused and printed labels, corks, etc. by certain persons to be punishable.*—No person shall have in his possession any unused and printed label, cork, capsule or seal, duly approved by any authority under this Act or under any rule or order made thereunder for use by a person licensed to establish or work a distillery or brewery or to bottle liquor, or

1 of 1914

2 of 1930  
61 of 1985

8 of 1878  
15 of 1910  
8 of 1894  
52 of 1962  
2 of 1924  
51 of 1975

any other label, cork, capsule, or seal which is an imitation of such unused and printed label, cork, capsule, or seal, as the case may be :

Provided that nothing herein shall apply to—

- (a) a person licensed to establish or work a distillery or brewery or to bottle liquor; or
- (b) a person who, in execution of an order received from a person specified in clause (a), manufactures or prints any such label, cork, capsule or seal."

Amendment of section 26. 6. The words and letter "except Part B States" occurring in sub-section (3) of section 26 of the principal Act shall be omitted.

Amendment of section 27. 7. For the words "any person" occurring in sub-section (1) of section 27 of the principal Act, the words "any man not below the age of twenty-five years" shall be substituted.

Amendment of section 29. 8. For word "eighteen" wherever it occurs in section 29 of the principal Act, the word "twenty-five" shall be substituted.

Substitution of section 30. 9. For section 30 of the principal Act, the following new section 30 shall be substituted, namely :—

"30. *Prohibition of employment of children and of men under the age of twenty-one years and of women.*—No person who is licensed to sell any liquor or intoxicating drug for consumption on his premises shall during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any man under the age of twenty-one years or any woman or any child in any part of such premises in which such liquor or intoxicating drug is consumed by the public."

Amendment of section 31. 10. For the existing proviso of section 31 of the principal Act, the following proviso shall be substituted, namely :—

"Provided that the duty shall not be so imposed on any article which has been imported into India and was liable on importation to duty under the Customs Tariff Act, 1975, or the Customs Act, 1962."

51 of 1975  
52 of 1962

Amendment of section 36. 11. In section 36 of the principal Act, —

- (a) in clause (d), for the words, signs and figures "the Dangerous Drugs Act, 1930, or under the Merchandise Marks Act, 1889" the words, signs and figures "the Narcotic Drugs and Psychotropic Substances Act, 1985, or under the Trade and Merchandise Marks Act, 1958" shall be substituted; and
- (b) in clause (e), for the words, signs and figures, "clause (8) of section 167 of the Sea Customs Act, 1878" the words, sign and figures, "section 135 of the Customs Act, 1962" shall be substituted.

2 of 1930  
4 of 1889  
61 of 1985  
43 of 1958

8 of 1878  
52 of 1962

Amendment of section 37. 12. In section 37 of the principal Act, for the words, sign and figure "the Opium Act, 1878", the words, sign and figures "the Narcotic Drugs and Psychotropic Substances Act, 1985" shall be substituted.

1 of 1878  
61 of 1985

- 5 of 1898.  
2 of 1974
13. In sub-section (2) of section 46 of the principal Act, for the words, sign and figures "XIV of the Code of Criminal Procedure, 1898", the words, sign and figures "XII of the Code of Criminal Procedure, 1973" shall be substituted. Amendment of section 46.
14. In section 50 of the principal Act,— Amendment of section 50.
- (a) for the figures "1898", the figures "1973" shall be substituted; and
- (b) in second proviso, for the word "Magistrate", the words "Judicial Magistrate" shall be substituted.
15. In section 54 of the principal Act,— Amendment of section 54.
- (a) in sub-section (2), for the words "a Magistrate" occurring for the first time, the words "an Executive Magistrate" shall be substituted; and
- (b) in sub-section (3), for the words "any Magistrate", the words "any Executive Magistrate" shall be substituted.
16. For the existing section 57 of the principal Act, the following new section 57 shall be substituted, namely:— Substitution of section 57.
- "57. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the State Government or any Officer of the State Government or any other person exercising any power or discharging any functions or performing any duties under this Act, for any thing in good faith done or ordered to be done or intended to be done under this Act or any rule or order made thereunder or under any other law for the time being in force relating to the excise revenue."
17. After sub-clause (iii) of clause (f) of section 59 of the principal Act, the following new sub-clause (iii-a) shall be inserted, namely:— Amendment of section 59.
- "(iii-a) the price above which any intoxicant shall not be sold or supplied;"
18. In section 61 of the principal Act,— Amendment of section 61.
- (i) in sub-section (1) for the words "two years and with fine which may extend to two thousand rupees, and if found in possession of a working still for the manufacture of any intoxicant shall be punishable with the minimum sentence of six months' imprisonment and fine of two hundred rupees.", the words and sign "three years and with fine which may extend to five thousand rupees:" shall be substituted; and
- (ii) to sub-section (1), the following proviso shall be added, namely:—
- "Provided that in the case of an offence relating to the possession of—
- (i) a working still for the manufacture of any intoxicant, such imprisonment shall not be less than one year and such fine shall not be less than five thousand rupees;
- (ii) lahan, such imprisonment shall not be less than six months and such fine shall not be less than one thousand rupees;

(iii) country liquor manufactured otherwise than in a licensed distillery in Himachal Pradesh, in a quantity not exceeding ten bottles, each bottle containing 750 millilitres, such imprisonment shall not be less than three months and such fine shall not be less than five hundred rupees; and in a quantity exceeding ten bottles of the aforesaid capacity, such imprisonment shall not be less than six months and such fine shall not be less than one thousand rupees;

(iv) foreign liquor other than—

(a) manufactured in a licensed distillery or brewery in India; or

(b) imported into India on which custom duty is leviable under the Customs Tariff Act, 1975, or the Customs Act, 1962; 51 of 1975. 52 of 1962

such imprisonment shall not be less than six months and such fine shall not be less than two thousand rupees."

Amendment  
of section  
62.

19. In section 62 of the principal Act—

(i) for the existing heading, the following shall be substituted, namely :—

*"Penalty for contravention of sections 29 and 30 etc.";*

(ii) in clause (a) for the word "eighteen", the word "twenty-five" shall be substituted;

(iii) in clause (b), for the words "any child under the age of sixteen years or women" the words "any man under the age of twenty-one years or any woman or any child" shall be substituted; and

(iv) after clause (e) for the words "five hundred", the words "two thousand" shall be substituted.

Amendment  
of section  
63.

20. In section 63 of the principal Act, for the words "one year" and "one thousand", the words "five years" and "five thousand" shall respectively be substituted.

Insertion of  
section 63-A.

21. After section 63 of the principal Act, the following new section 63-A shall be inserted, namely :—

*"63-A. Penalty for possession of unused and printed labels, corks, etc. in contravention of section 24-A.—Whoever in contravention of the provisions of section 24-A has in his possession any unused and printed label, cork, capsule or seal, or an imitation thereof, shall be punishable with imprisonment for a term which may extend to six months and with fine."*

Amendment  
of section  
64.

22. In section 64 of the principal Act, for the words "three months" and "five hundred", the words "one year" and "two thousand" shall respectively be substituted.

Amendment  
of section  
66.

23. In section 66 of the principal Act,—

(a) in sub-section (1), for the words "three months and with fine which may extend to one thousand rupees", the words "one year and with fine which shall not be less than two thousand rupees" shall be substituted; and

(b) in sub-section (2) for the words "two hundred", the words "two thousand" shall be substituted.

24. In section 68 of the principal Act, for the words "two hundred rupees", the words "one thousand rupees" shall be substituted. Amendment of section 68.

25. In section 68-A of the principal Act,—

(a) in the first proviso for the words "three years and a fine of two thousand rupees", the words "five years and a fine of five thousand rupees" shall be substituted; and Amendment of section 68-A.

(b) in the second proviso for the words "three years", the words "five years" shall be substituted.

26. In sub-section (2) of section 69-A and section 71 of the principal Act, for the figure "1898" wherever it occurs, the figure "1973" shall be substituted. Amendment of sections 69-A and 71.

27. In section 72 of the principal Act,—

(a) for the figure "1898", the figure "1973" shall be substituted; and Amendment of section 72.

(b) for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that the offences punishable under clauses (i) and (ii) of the proviso to sub-section (1) of section 61 and of possession of country liquor and foreign liquor in a quantity exceeding ten bottles of 750 millilitres capacity each, punishable under clauses (iii) and (iv) of the proviso to sub-section (1) of section 61, shall be non-bailable".

28. In sub-section (4) of section 73 of the principal Act, for the words, figures and signs, "sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898", the words, sign and figures "Chapter XXXIII of the Code of Criminal Procedure, 1973", shall be substituted. Amendment of section 73.

29. In section 75 of the principal Act, for the word "magistrate", wherever it occurs the words "Judicial Magistrate" shall be substituted. Amendment of section 75.

